

### REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-10, 12-15, 17-30 and 39-66 are pending in the application. Claims 12, 17, 41-42, 45-47 and 49-50 are amended by the present amendment. Support for the amended claims can be found at least at pp. 37-38 and Figs. 16-17 of the originally filed disclosure. No new matter is presented.

In the Office Action, Claims 1-4, 8, 12, 13, 18, 22, 23, 27, 39-44, 48 and 51-62 are rejected under 35 U.S.C. § 103(a) as unpatentable over Rose et al. (U.S. Pat. 5,752,244, herein Rose) in view of Hanamura et al. (U.S. Pub. 2001/0033619, herein Hanamura); and Claims 5-7, 9-10, 14-15, 17, 19-21, 24-26, 28-30, 45-47, 49-50 and 63-66 are rejected under 35 U.S.C. § 103(a) as unpatentable over Rose in view of Hanamura and Takahashi (U.S. Pat. 6,931,531).

As an initial matter, the undersigned appreciatively acknowledges the courtesy extended by Examiner Chowdhury and Supervisory Patent Examiner (SPE) Tran in holding a personal interview with the undersigned on July 13, 2009. During the interview, an overview of the invention was presented and differences between the pending independent claims and the applied references were discussed. As noted in the Interview Summary, Examiner Chowdhury and SPE Tran acknowledged that the applied references “do not disclose the claimed limitations” of the method features recited in Claims 12 and 22, and means-plus-function features recited in Claim 1. In this regard, Applicants note that a clarification is necessary in view of the comments provided in the Interview Summary dated July 13, 2009. The Interview Summary states “[f]or ‘means plus function’ and ‘method’ claims, the applied references do not disclose the claimed limitations because of 112, 6<sup>th</sup> paragraph.” Applicants, however, note that Claim 12 is a method claim, and Claim 22 is a computer-readable medium

claim reciting features in the form of method steps, and the features in these claims should be interpreted as method steps, and not under 35 U.S.C. § 112, sixth paragraph.

Examiner Chowdhury and SPE Tran further indicated that amending Claim 41 by “adding ‘an interface configured to receive an input selecting whether the information processing apparatus ...’ would overcome the applied references.” In response, Claim 41 is amended to incorporate this feature. Also as indicated in the Interview Summary, Examiner Chowdhury and SPE Tran noted that “it appears that the references do not disclose claimed [sic] limitations of claim 39.” Applicants note that Claim 40 recites features similar to those recited in Claim 39 and is also believed to patentably define over the applied references.

Briefly summarizing the points discussed during the interview, independent Claim 1 recites, in part, an information processing apparatus having a function to transfer content data to a device connected thereto, the information processing apparatus comprising:

... setting *means for setting whether the information processing apparatus automatically transfers content data stored in said storage medium to the device*; and

transferring means for transferring the content data stored in the storage medium to the connected device *automatically without regard to designation of content data based on a user input in case the setting means has set so that the information processing apparatus transfers content data stored in said storage medium to the device*.

Independent Claims 12 and 22, while directed to alternative embodiments, recite similar features but in the form of method steps. As clarified in Claim 41, the “means for setting” corresponds to “an interface configured to receive an input selecting whether the information processing apparatus automatically transfers content data stored in said storage medium to the device”, which is described in an exemplary embodiment at pp. 37-38 and Figs. 16-17 of the originally filed disclosure.

As acknowledged by Examiner Chowdhury and SPE Tran during the interview, the applied references fail to teach or suggest this claimed feature. Accordingly, Applicants

respectfully request that the rejection of Claims 1, 12, 22 and 41 (and the claims that depend therefrom) under 35 U.S.C. § 103 be withdrawn.

Further, independent Claim 39 recites an information processing method carried out in an information processor having a function to transfer contents to a device connected thereto, the method comprising:

controlling recording of the plurality of contents to a recording means; and

controlling, each time at least one of the contents is recorded at the recording controlling step in case the content has been recorded at the recording controlling step, ***transferring of the recorded content to the connected device while recording the other contents not yet recorded.***

Independent Claim 40, while directed to an alternative embodiment, recites similar features.

In rejecting Claim 39, p. 5 of the Office Action merely notes that Claim 39 “is rejected for the same reason as discussed in the corresponding claim 1 above.” Claim 39, however, does not recite features analogous to those recited in independent Claim 1. Moreover, as acknowledged by Examiner Chowdhury and SPE Tran during the interview, the references fail to disclose the features of Claim 39.

Accordingly, Applicants respectfully request that the rejection of Claims 39 and 40 under 35 U.S.C. § 103 be withdrawn.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 1-10, 12-15, 17-30 and 39-66 is patentably distinguishing over the applied references. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of the application is therefore requested.

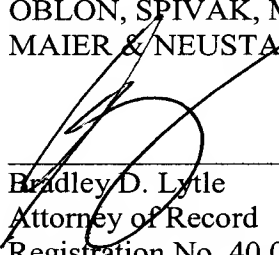
Respectfully submitted,

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